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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/634,185 | 08/09/2000 | James S. Hiscock | SYNER-163XX | 5742 |
| 207 | 7590 | 12/03/2004 | EXAMINER | |
| WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109 | | | BARNIE, REXFORD N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2643 | |

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/634,185 | Applicant(s) HISCOCK ET AL. | |
| | Examiner REXFORD N BARNIE | Art Unit 2643 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-7, 12-21, 23, 24 and 33-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 4-7, 12-21, 23-24 and 33-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15 (4-7, 12, 13 and 20) are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis et al. (US pat# 6,167,120) in view of Krawez et al. (US pat# 6,1012,951) or Volansky et al. (US Pat# 5,807,139).

Regarding claim 15, Kikinis teaches a home networking system in (see fig. 1) with an adapter to which a plurality of devices can be connected creating a multimedia system with disclosed means as shown in (see fig. 1) but fails to teach the claimed housing structure.

Krawez teaches a phone plug for a home phone line system including a home data network which can accommodate a plurality of multimedia devices including a telephone and/or computing device in (see fig. 4A).

Volansky teaches an adapter to which a plurality of multimedia devices can be connected in (see figs., abstract)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the idea to implement multimedia by using any known adapter in order to provide multimedia services.

Regarding claims 4-7 and 20, it's well known to use splitters or wall interface connecting telephone devices with AC/DC source to service providers and the examiner takes official notice to that regard. The combination teaches interfaces. The combination including Krawez teaches being able to mount the adapter to a telephone jack, which is normally or can be mounted in a wall.

Regarding claims 12-13, the combination renders the claimed subject matter obvious.

Claims 14, 21, 33 and 39-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis et al. (US pat# 6,167,120) in view of Krawez et al. (US pat# 6,1012,951) or Volansky et al. (US Pat# 5,807,139) and further in view of Jones et al. (US Pat# 6,404,764).

Regarding claim 14, The combination fails to teach the claimed subject matter but Jones et al. teaches a multimedia adapter which can accommodate a digital telephone, receive E-mails (see col.10) and has interfaces including an Ethernet interface, RF interface, 1394 interface and provides VOIP services in (see fig. 4).

Therefore, it would have been obvious to implement the teaching of Jones into that of the combination thus making it possible to provide multimedia services including using digital phones for its ability to receive data.

Regarding claims 21 and 33, The combination teaches VOIP.

Regarding claims 39-47, see the explanation as set forth regarding claim 15 in addition to (fig. 4 of Jones et al.)

Claims 15-17, 20, 21, 23-24, 33,34 and 37-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg (US pat# 6,714,534) in view of Krawez et al. (US pat# 6,1012,951) or Volansky et al. (US Pat# 5,807,139).

Regarding claim 15, Gerszberg teaches a multimedia system comprising an integrated residence gateway (ISD/ISG) which according to Gerszberg in (see col. 7 lines 12-17) can be mounted to the side of the premise, inside or in the basement just as an example based on "may". Furthermore, Gerszberg teaches in (see fig. 2) that the ISD is capable of providing multimedia services via a controller and network interface means in addition to an Ethernet interface.

Gerszberg fails to teach the claimed housing structure.

Krawez teaches a phone plug for a home phone line system including a home data network which can accommodate a plurality of multimedia devices including a telephone and/or computing device in (see fig. 4A).

Volansky teaches an adapter to which a plurality of multimedia devices can be connected in (see figs., abstract)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the idea to implement multimedia by using any known adapter in order to provide multimedia services.

Regarding claims 16 and 17, The combination including a network security subsystem and the examiner takes official notice that user authentication, encryption and so forth are known as means of avoiding fraudulent access to network services. Furthermore, The combination including Gerszberg teaches in (see col. 16 lines 31).

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Regarding claim 20, It's known to use AC or DC power to power communication devices and also has support in (see col.15 lines 20-35 of Gerszberg).

Regarding claims 21, 23, 24, 33, 34 and 37-47, see the explanation as set forth regarding claim 15 in addition to (see figs. 1D and 2 of Gerszberg). The claimed subject matter is rendered obvious. Furthermore, it's known to use PCMCIA cards in telephone adapters.

Claims 18-19 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg (US pat# 6,714,534) in view of Krawez et al. (US pat# 6,1012,951) or Volansky et al. (US Pat# 5,807,139) and further in view of Vaugh et al. (US Pat# 6,661,893).

Regarding claims 18-19, The combination fails to teach the claimed subject matter but Vaugh et al. teaches a telephone loop monitoring system in (see col. 4) wherein status information can be reported to a user via a display means.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Vaugh into that of the combination thus making it possible to take corrective measures or request help when necessary.

Regarding claims 35-38, the examiner takes official notice that it's well known to inform users of network resource status or status of other communication devices in a network in the form of data signaling/messages.

Conclusion

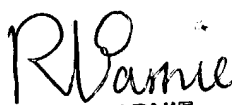
Any inquiry concerning this communication or earlier communications from the examiner should be directed to REXFORD N BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

REXFORD BARNIE

11/29/04


REXFORD BARNIE
PRIMARY EXAMINER